

### **REMARKS**

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1 and 10 have been amended. Claims 1-18 are pending in this application.

Claim 10 stands objected to because of the informalities. In response, Applicant has amended claim 10 according to the Examiner's kind suggestion. Withdrawal of the objection to claim 10 is respectfully requested.

Claim 1-2, 4-11 and 13-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art (AAPA) in view of Nakao et al. Applicant traverses the rejection for the following reasons.

Claims 1 and 10 now recite, in part, a step of forming a first metal layer as a type of flat board on the dielectric layer, and a step of forming a second metal layer covering a patterned poly-silicon layer and first metal layer and the semiconductor substrate, wherein a sidewall of the patterned first metal layer is electrically connected to the second metal layer such that the patterned poly-silicon layer is surrounded by the patterned first metal layer and the patterned second metal layer, as amended. Applicant respectfully submits that none of the references describes or teaches the above limitation.

AAPA simply fails to disclose or suggest the step of forming a second metal layer. With regard to Nakao et al., the Examiner asserts that anti-diffusion film 17 or 27 is analogous to the second metal layer 23C. Even if the Examiner's statement is true, although the Applicant does not agree with the Examiner's statement, Nakao et al. still clearly fails to disclose or suggest the step of forming a second metal layer covering the patterned poly-silicon layer and first metal layer and the semiconductor substrate, wherein a sidewall of the patterned first metal layer is electrically connected to the second metal layer such that the patterned poly-silicon layer is surrounded by the patterned first metal layer and the patterned second metal layer.

Accordingly, even if these two references could be combined as suggested by the Examiner, these references fail to disclose or suggest the feature "the patterned poly-silicon layer is surrounded by the patterned first metal layer and the patterned second metal layer," and therefore, claims 1 and 10 and their dependent claims 2, 4-9, 11 and 13-18 are not made obvious over AAPA in view of Nakao et al. under 35 U.S.C. §103(a).

Claims 3 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Nakao et al. in view of Wolf et al. Claims 4, 7, 13 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Nakao et al. in view of Yasaitis et al. As set forth above, AAPA and Nakao et al., as combined, fail to disclose or suggest all of the features of independent claims 1 and 10. Wolf et al. and Yasaitis et al. do not supply the above-noted deficiencies of AAPA and Nakao et al. Therefore, claims 3, 4, 7, 12, 13 and 16, which are dependent on claim 1 or 10, are believed allowable for the same reasons discussed above with respect to claims 1 and 10, as well as on their own merits.

Claims 1-2, 4-11 and 13-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Kirlin et al. Applicant traverses the rejection for the following reasons. Applicant submits that AAPA simply fails to disclose or suggest the step of forming a second metal layer. Although the Applicant does not agree with the Examiner's assertion that the barrier layer 120 in Kirlin et al. is analogous to the second metal layer, Kirlin et al. still clearly fails to disclose or suggest the feature of the claimed invention in that the patterned poly-silicon layer is surrounded by the patterned first metal layer and the patterned second metal layer. Therefore, these claims are not made obvious over AAPA in view of Kirlin et al. under 35 U.S.C. §103(a).

Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Kirlin et al. in view of Wolf et al. Claims 4, 7, 13 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Kirlin et al. in view of Yasaitis et al. As noted above, AAPA and Kirlin et al. fail to disclose or suggest all of the features of independent

claims 1 and 10. Wolf et al. and Yasaitis et al. do not supply the above-noted deficiencies of AAPA and Kirlin et al. Accordingly, claims 3, 4, 7, 13 and 16, which are dependent on claim 1 or 10, are patentable for the reasons discussed above with respect to claims 1 and 10, as well as on their own merits.

The prior art made of record and not relied upon is noted.

All objections and rejections having been addressed, it is respectfully submitted that claims 1-18 are now in condition for allowance and a notice to that effect is earnestly solicited. If any issues remain to be resolved, the Examiner is cordially invited to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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